

REMARKS/ARGUMENTS

Claims 1, 3, 4 and 23-30 are pending in this application. By this Amendment, the drawings, abstract, specification and claims 1 3, and 4 are amended, claims 23-30 are added, and claims 2 and 5-22 are canceled without prejudice or disclaimer to be pursued in continuation/divisional application(s). Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Allowable Subject Matter

The Examiner is thanked for the indication that claim 4 would be allowable if rewritten in independent form. New independent claim 27 is allowable claim 4 written in independent form. Thus, new independent claim 27, as well as new claims 28 and 29, which depend therefrom, should be in condition for allowance. Further, new independent claim 30 includes the allowable features of claim 4. Thus, it is respectfully submitted that new independent claim 30 should also be in condition for allowance.

II. Restriction Requirement

Applicants maintain their traversal of the Restriction Requirement issued November 17, 2006. However, merely to expedite prosecution of the application, Applicants have cancelled non-elected claims 5-22 to be pursued in continuation/divisional application(s).

III. Informalities

The Office Action objects to the drawings, abstract and specification due to informalities. It is respectfully submitted that the amendments to the drawings, abstract and specification submitted herewith are responsive to the Examiner's comments. Accordingly, the objections should be withdrawn.

IV. Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 1-4 under 35 U.S.C. §112, second paragraph, as allegedly indefinite. Claim 2 has been cancelled. It is respectfully submitted that the amendments to claim 1 are responsive to the Examiner's comments, and that claims 1-4 meet the requirements of 35 U.S.C. §112, second paragraph. Thus, the rejection should be withdrawn.

V. Rejection Under 35 U.S.C. §102(b)

The Office Action rejects claims 1-3 under 35 U.S.C. §102(b) over U.S. Patent No. 3,295,908 to Dawley et al. (hereinafter "Dawley"). Claim 2 has been cancelled. The rejection, in so far as it applied to claims 1 and 3, is respectfully traversed.

Independent claim 1 is directed to a door apparatus for a drawer type refrigerator. The apparatus includes a coupler that rotatably couples a door to a front end of a frame so as to allow the door to rotate through a predetermined angle with respect to the frame from a first, substantially vertical position to a second, tilted position. A rotation limiter selectively limits an angle of rotation of the door with respect to the frame. The rotation limiter includes at least one locking portion provided on one of the door or the frame, and at least one corresponding tilting

lock provided on the other of the door or the frame, wherein the at least one tilting lock is selectively and elastically deformed by the at least one locking portion as the door rotates with respect to the frame between the first and second positions. Dawley neither discloses nor suggests such features, or the claimed combination of features.

Dawley discloses a drawer assembly for a refrigerator. The drawer assembly includes an open frame 6 coupled to a rear surface of a drawer front 3. The frame 6 supports a removable basket 9, and includes slides 12 connected by front and rear cross members 7 and 8. The frame 6 is slidably supported within a storage compartment 2 of a refrigerator by channel shaped supports 11. The drawer front 3 is pivotably coupled to the frame 6 by brackets 25 and pivots 26 attached to forward ends of the slides 12. A tilt angle of the drawer front 3 from the vertical position is limited by engagement between a pin 28 on the drawer front 3 and a stop 27 formed on the bracket 25. An opening force applied to a handle 23 causes a lower edge 22 of the drawer front 3 to bear inwardly against a front face of the compartment 2, and an amount of rotation is limited by the position of the pin 28 in the stop 27.

A latch member 30 pivotally connected to the drawer front 3 secures the drawer front 3 in its tilted position. The latch member 30 includes a latch portion 32 that extends into the spaces between the upper and lower legs of one of the slides 12. The latch portion 32 drops from the lower leg 18 of the slide 12 into a slot 37 as the drawer front 3 moves from the vertical to the tilted position, thus locking the drawer front 3 in the tilted position. A spring member 38 biases the latch portion 32 in place in its latched position. Movement of the drawer front 3 from

the tilted position back to the vertical position causes a roller 16 to push the latch portion 32 out of the slot 37. Neither the pin 28 nor the stop 27, which together limit a degree of rotation of the drawer front 3 relative to the frame 6, is selectively and/or elastically deformed as the drawer front 3 rotates with respect to the frame 6 in either direction. Thus, Dawley neither discloses nor suggests a rotation limiter as recited in independent claim 1.

The Office Action asserts that the latch member 30 and spring 38 disclosed by Dawley are comparable to the claimed rotation limiter. Applicants respectfully disagree. The latch member 30 and spring 38 (compared in the Office Action to the claimed locking portion and tilting lock, respectively) merely secure the drawer front 3 in its tilted position relative to the frame 6 after the amount of rotation of the drawer front 3 has already been limited by the pin 28 and the stop 27. However, even if improperly compared, Dawley still neither discloses nor suggests the claimed locking portion and tilting lock. More specifically, a force exerted by the spring 38 holds the drawer front 3 in the tilted position. The spring 38 is not biased, or deformed in any way, when the drawer front 3 is returned to the vertical position. Thus, Dawley neither discloses nor suggests that the spring 38 is elastically deformed as the drawer front 3 rotates with respect to the frame 6 from the tilted to the vertical positions, as recited in independent claim 1.

Accordingly, it is respectfully submitted that independent claim 1 is not anticipated by Dawley, and thus the rejection of independent claim 1 under 35 U.S.C. §102(b) over Dawley

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should be withdrawn. Dependent claim 3 is allowable at least for the reasons set forth above with respect to independent claim 1, from which it depends, as well as for its added features.

VI. New Claims 23-30

New claims 23-30 are added to the application. It is respectfully submitted that new claims 23-30 also define over the applied prior art and meet the requirements of 35 U.S.C. §112.

VII. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned Joanna K. Mason, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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